**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.4713 OF 2005**
**IN**
**FIRST APPEAL NO.1967 OF 2005**
**IN**
**L.A.R.NO.1542 OF 2000**

The State of Maharashtra .. Appellant
V/s
Laxmibai Gopal Bhagat & Ors. .. Respondents

Mr.K.K.Tated for the Appellant.
Mr.Sachin Punde for the Respondents.

**CORAM: DR.S.RADHAKRISHNAN &**
**SMT.V.K.TAHILRAMANI, JJ.**

**DATE : 21.11.2005.**

**P.C.:**

1. Rule. Rule is made returnable forthwith. Heard the learned Counsel for the parties. Perused the Civil Application. For the reasons stated therein, Civil Application is made absolute in terms of prayer clauses (b) and (c), subject to the Appellant depositing the entire decretal amount in the trial Court within a period of 12 weeks from today.

2. Upon the Appellant depositing the entire decretal amount, the Respondents are at liberty to withdraw 50% of the said amount upon furnishing a security to the satisfaction of the trial Court. The trial Court is directed to invest the balance 50% amount in a fixed deposit account in any of the nationalised Bank, initially for a period of three years, and thereafter to renew the same from time to time. Civil Application stands disposed of.

**(DR.S.RADHAKRISHNAN, J.)**

**(SMT.V.K.TAHILRAMANI, J.)**